IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 1477 OF 2004

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Shri A.J. Thakkar, Advocate for the petitioner.
Smt. S.S. Wandile, AGP for the respondent No.1.

CORAM : J.P. DEVADHAR &
B.P. DHARMADHIKAR, JJ.
26TH JUNE, 2007

The matter was before us on 19th June, 2007 and came to be adjourned to today as the learned Counsel for the petitioner pointed out that challenge to impugned order has been upheld in Writ Petition No. 928 of 2004 and connected matter.

Accordingly, we have perused the order dated 13th July, 2004 passed by this Court in Writ Petition No. 928 of 2004. In the said order, this Court has noticed that the order dated 17th January, 2004, issued by the State Government was also quashed and set aside by principal bench of this Court on 5th May, 2004. Accordingly, in Writ Petition No. 928 of 2004, order dated 17th January, 2004 has been quashed and set aside for the petitioners therein.

Smt. S.S. Wandile, the learned AGP states that

in present petition, the respondent No.2 has been allowed to be added later on and said respondent is still not served. However, impugned order is issued by the respondent No.1 and as it is already quashed and set aside in the above matter, we also quash and set aside the same in relation to the petitioner. However, the respondent No.1 is at liberty to issue fresh show cause notice and take appropriate action against the petitioner in accordance with principle of natural justice, if deemed necessary.

Accordingly, writ petition is allowed to the extent mentioned above. In the circumstances of the case, no order as to costs.

JUDGE JUDGE

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